

JUN 11 2008

$$\begin{matrix} \mathbf{x} \\ : \\ : \\ : \\ : \\ : \\ : \\ : \\ : \\ : \\ \mathbf{x} \end{matrix}$$

Plaintiffs,

CHAD W. KARASAKI,

Defendant.

97 925-653559

Dated: New York, New York
June 9, 2008

Gary D. Friedman, (GDF 6175)
David R. Fertig (DF 5068)

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Attorneys for Plaintiffs
MARSH USA INC. and MARSH &
MCLENNAN COMPANIES, INC.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MARSH USA INC. and MARSH &	x	
MCLENNAN COMPANIES, INC.	:	Case No.: 08 Civ. 4195(JGK)
	:	
Plaintiffs,	:	
- against -	:	
	:	
CHAD W. KARASAKI,	:	
	:	
Defendant.	:	
	x	

**PLAINTIFFS' MOTION FOR ADMISSION
PRO HAC VICE OF DUANE R. MIYASHIRO**

Nened Krek ("Movant"), a member in good standing of the Bar of the State of New York, an attorney admitted to practice before the United States District Court for the Southern District of New York, and a member of Carlsmith Ball LLP, hereby moves the Court to enter an order permitting Duane R. Miyashiro to practice *pro hac vice* before the United States District Court for the Southern District of New York to represent plaintiffs Marsh USA Inc. and Marsh & McLennan Companies, Inc. (collectively, "Marsh") in the above captioned matter pursuant to Local Rule 1.3(c) of the United States District Court for the Southern District of New York. In support of the Motion, Movant states as follows:

1. Mr. Miyashiro is a member in good standing of the bar of the State of Hawaii, and is an attorney in good standing of the Bars of the United States Supreme Court, Ninth Circuit Court of Appeals and the United States District Court for the District of Hawaii.

2. Movant requests that this Court approve this Motion so that Mr. Miyashiro may file pleadings, appear and be heard in the above-captioned matter.

3. No previous request for the relief sought herein has been made to this Court.

WHEREFORE Movant respectfully requests that the Court enter an order substantially in the form identified on Exhibit A permitting Duane R. Miyashiro to appear *pro hac vice* as counsel to Marsh in the above captioned matter and granting such other and further relief as is just.

Dated: New York, New York
June 9, 2008



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Attorneys for Plaintiffs
MARSH USA INC. and MARSH &
MCLENNAN COMPANIES, INC.

Exhibit A

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MARSH USA INC. and MARSH &	x	
MCLENNAN COMPANIES, INC.	:	Case No.: 08 Civ. 4195(JGK)
	:	
Plaintiffs,	:	
- against -	:	
	:	
CHAD W. KARASAKI,	:	
	:	
Defendant.	:	
	x	

**ORDER GRANTING MOTION FOR ADMISSION
PRO HAC VICE FOR DUANE R. MIYASHIRO**

Upon consideration of the motion seeking admission *pro hac vice* for Duane R. Miyashiro to represent plaintiffs Marsh USA Inc. and Marsh & McLennan Companies, Inc. before the United States District Court for the Southern District of New York in the above captioned matter, it is hereby

ORDERED that Duane R. Miyashiro is permitted to appear *pro hac vice* before this Court as counsel to plaintiffs Marsh USA Inc. and Marsh & McLennan Companies, Inc. in the above captioned matter.

Dated: New York, New York
_____, 2008

United States District Judge

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MARSH USA INC. and MARSH & MCLENNAN COMPANIES, INC.	x	
	:	Case No.: 08 Civ. 4195(JGK)
	:	
Plaintiffs,	:	
- against -	:	
	:	
CHAD W. KARASAKI,	:	
	:	
Defendant.	:	
	x	

DECLARATION OF NENAD KREK IN SUPPORT OF PLAINTIFFS’
MOTION FOR ADMISSION *PRO HAC VICE* OF DUANE R. MIYASHIRO

I, Nenad Krek, hereby declare that:

1. I am a member of the bar of the State of New York and of the bar of this Court. I am a member of Carlsmith Ball LLP, one of two law firms representing plaintiffs Marsh USA Inc. and Marsh & McLennan Companies, Inc. (collectively, “Marsh”), in this action.

2. I am personally familiar with and knowledgeable about the facts stated in this declaration, which I submit in support of Plaintiffs’ motion for admission of counsel *pro hac vice*.

3. Mr. Miyashiro is a member of my firm in the Hawaii office.

4. The affidavit of Mr. Miyashiro affirming his good standing for the bar of Hawaii to which he is admitted is filed herewith. His Certificate of Good Standing for the bar of Hawaii is attached to his affidavit.

5. I have found Mr. Miyashiro to be a skilled attorney and a person of the highest integrity. He is experienced in federal practice and is familiar with the Federal Rules of Procedure.

6. Accordingly, I am pleased to move for the admission of Duane Miyashiro, *pro hac vice*.

WHEREFORE it is respectfully requested that the motion to admit Duane R. Miyashiro, *pro hac vice*, to represent plaintiffs in the above captioned matter, be granted.

DATED: Honolulu, Hawaii, June 4, 2008.



NENAD KREK

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MARSH USA INC. and MARSH & MCLENNAN COMPANIES, INC.	x	
	:	Case No.: 08 Civ. 4195(JGK)
	:	
Plaintiffs,	:	
- against -	:	
	:	
CHAD W. KARASAKI,	:	
	:	
Defendant.	:	
	x	

AFFIDAVIT OF DUANE R. MIYASHIRO
IN SUPPORT OF APPLICATION FOR ADMISSION *PRO HAC VICE*

STATE OF HAWAII)
) ss:
CITY AND COUNTY OF HONOLULU)

DUANE R. MIYASHIRO, being duly sworn on oath, deposes and says, as follows:

1. I am a member of Carlsmith Ball LLP, counsel for Plaintiffs Marsh USA Inc. and Marsh & McLennan Companies, Inc. ("Plaintiffs") in this matter. My office is located at ASB Tower, Suite 2200, 1001 Bishop Street, Honolulu, Hawaii 96813. I submit this affidavit in support of Plaintiffs' motion for my admission *pro hac vice* in this action.

2. I am a citizen of the United States and a resident of the State of Hawaii. I have been a member in good standing of the Bar of the State of Hawaii since 1995. A true and correct copy of my certificate of good standing for the State Bar of Hawaii is attached as Exhibit A.

3. I am also a member in good standing of the Bars of the United States Supreme Court, the Ninth Circuit Court of Appeals and the United States District

Court for the District of Hawaii. I am in good standing and eligible to practice in these courts. I am not currently suspended or disbarred in any courts.

4. There is good cause to grant this application. The Plaintiffs wish me to be counsel on this matter due to my full familiarity with the facts and legal issues of this particular case.

5. I have never been held in contempt of Court, nor have I ever been censured, suspended or disbarred by any court.

6. I have read and am familiar with:

- a. the provisions of the Judicial Code which pertain to the jurisdiction of, and practice in, the United States District Courts;
- b. the Federal Rules of Civil Procedure for the district courts;
- c. the Federal Rules of Evidence for the United States Courts and Magistrates; and
- d. the Code of Professional Responsibility of the American Bar Association, and will faithfully adhere thereto.

7. As a part of my admission *pro hac vice*, I agree:

- a. to be bound by all procedural rules and disciplinary rules governing the practice of law before this Court;
- b. to advise the Court if I cease to be a member in good standing of the Bar of the State of Hawaii;
- c. to continue to work with New York counsel throughout the course of this case; and
- d. to follow New York customs of practice.

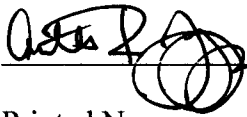
WHEREFORE, I respectfully request that I be admitted to practice before this Court *pro hac vice* on behalf of the Plaintiffs pursuant to the proposed order annexed hereto.

FURTHER AFFIANT SAYETH NAUGHT.



DUANE R. MIYASHIRO

Subscribed and sworn to before me
this 4th day of June, 2008.



Printed Name: ANITES R. LAGPACAN

Notary Public, State of Hawaii

My commission expires: JULY 2, 2009

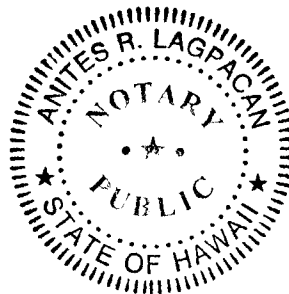


Exhibit A

CERTIFICATE OF SERVICE

I, Kenneth Gavsie, affirm that I am an attorney associated with Weil, Gotshal & Manges LLP, counsel for plaintiffs, over eighteen (18) years of age and am not a party to this action.

On this 9th day of June, 2008, I caused a copy of the attached Notice of Motion for Admission *Pro Hac Vice* for Duane R. Miyashiro and Motion for Admission *Pro Hac Vice* for Duane R. Miyashiro to be served by U.S. first class mail upon:

Robin C. Tarr, Esq.
Rachel V. Stevens, Esq.
DLA Piper US LLP
1251 Avenue of the Americas
New York, New York 10020

Jeffrey S. Portnoy, Esq.
Cades Schutte
1000 Bishop Street, Suit 1200
Honolulu, Hawaii 96813



Kenneth Gavsie

In the Supreme Court of Hawai'i,

In the Matter of

DUANE RICHARD MIYASHIRO

Attorney at Law.

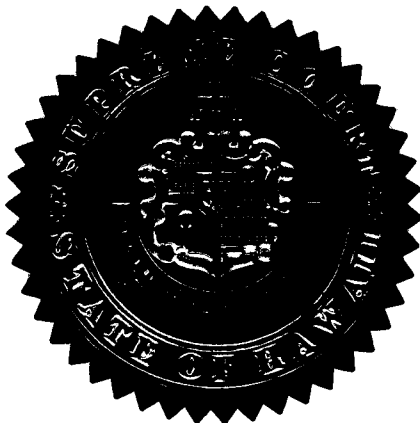
CERTIFICATE OF QUALIFICATION

I, Sandra N. Yasui, clerk of the Supreme Court of the State of Hawai'i, do hereby certify that

— Duane Richard Miyashiro —

is an attorney and was admitted to practice as an attorney, counselor and solicitor in all the courts of the State of Hawai'i on October 27, 1995; is at present an active member of the bar of Hawai'i, in good standing, and has never been suspended for misconduct.

DATED: Honolulu, Hawai'i, May 29, 2008.



Sandra N. Yasui

Clerk, Supreme Court of Hawai'i.